

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALBERT T. BEANE, JR., and all others
similarly situated,

Plaintiffs,

v.

THE BANK OF NEW YORK MELLON
CORP., BNY CONVERGEX EXECUTION
SOLUTIONS, LLC and CALLAN
ASSOCIATES, INC.,

Defendants.

07 CIV 9444 (RMB)

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Dorothy Heyl of Milbank, Tweed, Hadley & McCloy
LLP, hereby appears in the above-captioned action as counsel for Defendant Bank of New York
Mellon Corp.

Dated: New York, NY
November 30, 2007

MILBANK TWEED HADLEY & MCCLOY LLP

By: s/ Dorothy Heyl

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The Bank of New York Mellon Corp.*

CERTIFICATE OF FILING

I hereby certify that on November 30, 2007, this Notice of Appearance was filed through the ECF system.

s/ Dorothy Heyl